

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

Ellen Jane Kutten, individually and on  
behalf of her daughters; and Mary Ann  
Arnold and Elsie Mahler Scharff, on  
behalf of themselves and all others  
similarly situated;

Civ. File No. 04-0244 (PAM)

Plaintiffs,

v.

**ORDER**

Bank of America, N.A. and Bank of  
America Corporation,

Defendants.

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This matter is before the Court on Plaintiffs' Motion to Alter/Amend the Judgment to Provide for Modification of the Protective Order. Plaintiffs seek to modify the protective order so that Plaintiffs can use discovery materials in other cases. Because those other cases have been dismissed, however, Plaintiffs' request is moot.

Accordingly, **IT IS HEREBY ORDERED** that Plaintiffs' Motion (Docket No. 325) is **DENIED as moot**.

Dated: Wednesday, October 22, 2008

*s/ Paul A. Magnuson*

Paul A. Magnuson  
United States District Court Judge